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7 **UNITED STATES DISTRICT COURT**
8 **SOUTHERN DISTRICT OF CALIFORNIA**
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10 IVERA MEDICAL CORPORATION,

11 Plaintiff,

12 vs.

13 EXCELSIOR MEDICAL
14 CORPORATION,

15 Defendant.

16 AND RELATED CASES
17

CASE NO. 11-CV-1115-H-RBB
CASE NO. 12-CV-1581-H-RBB

**ORDER CONTINUING
CLAIM CONSTRUCTION
HEARING**


18 On June 18, 2013, the Court issued an order modifying the claim construction
19 schedule in the related cases Ivera Medical Corp. v. Hospira, Inc., Case Nos. 11-cv-
20 1246 and 12-cv-1582 (the “Hospira Cases”). A copy of the order is attached as Exhibit
21 A. As these consolidated cases involve the same plaintiff and the same patents as the
22 Hospira Cases, the Court will hold a combined claim construction hearing on **Friday,**
23 **September 27, 2013, at 9:00 a.m.** The claim construction briefing schedule will
24 follow the schedule set forth in the Court’s June 18, 2013, order.

25 Additionally, the Court requested briefing in the Hospira Cases on the validity
26 of the patents-in-suit given the recent office actions by the PTO. (Ex. A at pp. 2-3.)
27 Defendant Excelsior Medical Corporation (“Excelsior”) may file a brief in opposition
28 to Plaintiff Ivera Medical Corporation’s brief addressing the validity of the patents-in-

1 suit on or before **August 26, 2013**.

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3 **IT IS SO ORDERED.**

4 Dated: July 3, 2013

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6 MARILYN L. HUFF, District Judge
7 UNITED STATES DISTRICT COURT
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